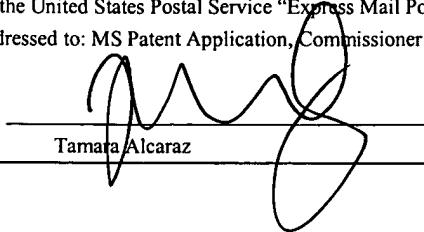


**CERTIFICATE OF MAILING BY "EXPRESS MAIL"**

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I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: MS Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Tamara Alcaraz

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the application of:

Scott K. PALM et al.

Serial No.: To Be Assigned  
Continuation of USSN 10/268,573

Filing Date: Concurrently Herewith

For: PERLITE PRODUCTS WITH  
CONTROLLED PARTICLE SIZE  
DISTRIBUTION

Examiner: Not Yet Assigned

Group Art Unit: Not Yet Assigned

**INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. § 1.97**

MS Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents were previously submitted in an Information Disclosure Statement and/or Office Action, directed to the related application Serial Number 10/268,573, filed October 9, 2002, and, accordingly, copies are not included herewith. This protocol conforms with 37 C.F.R. § 1.98(d)

and M.P.E.P. 609(A)(2). The Examiner is requested to make these documents of record in the application.

This Information Disclosure Statement is submitted:

- With the application; accordingly, no fee or separate requirements are required.
- Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
  - A fee is required. A check in the amount of is enclosed.
  - A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
  - A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly; no fee is believed to be due.
- After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
  - A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the amount of is enclosed.
  - A Certification under 37 C.F.R. § 1.97(e) is provided below and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist;

(iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorize the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 221612001002. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: November 12, 2003

Respectfully submitted,

By: Jill A. Jacobson  
Jill A. Jacobson  
Registration No. 40,030

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Form PTO-1449		Docket Number 221612001002	Application Number Not Yet Assigned - Continuation of USN 10/268,573
INFORMATION DISCLOSURE CITATION IN AN APPLICATION <i>(Use several sheets if necessary)</i>		Applicant Scott K. PALM et al.	
		Filing Date Concurrently Herewith	Group Art Unit Not Yet Assigned
		Mailing Date November 13, 2003	

### U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	12/02/1947	2,431,884	Neuschotz			
	2.	07/08/1952	2,602,782	Zoradi			
	3.	10/28/1975	3,915,735	Moreland			
	4.	04/07/1981	4,260,498	Sample, Jr. et al.			
	5.	10/14/1986	4,617,128	Ostreicher			
	6.	07/30/1991	5,035,804	Stowe			
	7.	07/07/1998	5,776,353	Palm et al.			
	8.	06/01/1999	5,908,561	Palm et al.			
	9.	08/11/1987	4,686,253	Struss et al.			

### FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
	10.	05/21/1959	DE 10 57 577 B	Germany			X
	11.	05/25/1982	SU 929 164 B	U.S.S.R.			
	12.	09/26/1984	EP 0 119 411 A2, A3	Europe			

### OTHER DOCUMENTS

*(including author, title, Date, Pertinent Pages, Etc.)*

Examiner Initials	Ref. No.	Title
	13.	Bear, Jacob (1988). "Derivations of Darcy's Law" in Chapter 5 "The Equation of Motion of a Homogeneous Fluid" in <u>Dynamics of Fluids in Porous Media</u> , 2nd edition, (Dover Publications, Inc., New York) pp.161-176.
	14.	Berry, L.G. and Mason, Brian (1983). Part IV. Appendixes, "Appendix A. Natural glasses and macerals" in <u>Mineralogy</u> (New York: Freeman and Co.) pp. 540-546.
	15.	Breese, Richard O.Y. and Barker, James M. (1994). "Perlite" in <u>Industrial Minerals and</u>

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

Form PTO-1449  INFORMATION DISCLOSURE CITATION IN AN APPLICATION  (Use several sheets if necessary)		Docket Number 221612001002	Application Number Not Yet Assigned - Continuation of USN 10/268,573
		Applicant	Scott K. PALM et al.
		Filing Date Concurrently Herewith	Group Art Unit Not Yet Assigned
		Mailing Date November 13, 2003	

		Rocks (Society for Mining, Metallurgy, and Exploration, Inc., Littleton, Colorado) 6th Edition, pp. 735-749.
16.		Cain, C.W., Jr. (1984). "Filter aid, use in filtration" Chapter 21, "Expanders to Finned Tubes, Selection of" in <u>Encyclopedia of Chemical Processing and Design</u> (New York: Marcel Dekker, Inc.) pp. 348-372.
17.		Carman, P. C. (1937). "Fluid flow through granular beds" <i>Trans.-Institution of Chem. Eng.</i> pp. 150-166.
18.		Heertjes, P. M. and H. v.d. Haas (1949). "Studies in filtration. Part I" <i>Recueil</i> 68:361-383.
19.		Heertjes, P. M. and Lerk, C. F. (1966). "Filter blocking, filter media and filter aids" Chapter 2 in <u>Solid-Liquid Separation</u> (London: Her Majesty's Stationery Office), pp. 37-43.
20.		Hermanson, Greg T. et al. (1992). <i>Immobilized Affinity Ligand Techniques</i> (San Diego: Academic Press Inc.) (Table of Contents).
21.		Kadey, Frederic L., Jr. (1983). "Diatomite" in <u>Industrial Minerals and Rocks (Nonmetallics other than Fuels)</u> (Society of Mining Engineers of the American Institute of Mining, Metallurgical, and Petroleum Engineers, Inc., New York, New York) Fifth Edition, Volume 1, pp. 677-708.
22.		Kiefer, J. (IV/1991). "Kieselguhr filtration" <i>Brauwelt International</i> pp. 300-302, 304-309.
23.		Nordén, Harry V. and Kauppinen, Petteri (1994). "Application of volume balances and the differential diffusion equation to filtration" <i>Separation Science and Technology</i> 29(10): 1319-1334.
24.		Ruth, B. F. (1946). "Correlating filtration theory with industrial practice" <i>Industrial and Engineering Chemistry</i> 38(6):564-571.
25.		Sperry, D. R. (1916). "The principles of filtration" <i>Metallurgical and Chemical Eng.</i> , Vol. XV(4):198-203.
26.		Stein, H. A. and Murdock, J. B. (1955). "The processing of perlite" <i>California Journal of Mines and Geology, State of California Division of Mines</i> 51(2):105-116.
27.		Tiller, F. M. (1953). "The role of porosity in filtration. Numerical methods for constant rate and constant pressure filtration based on Kozeny's law" <i>Chemical Engineering Progress</i> 49(9):467-479.
28.		Tiller, F. M. and Cooper, Harrison (1962). "The role of porosity in filtration: Part V. Porosity variation in filter cakes" <i>A.I.Ch.E. Journal</i> 8(4):445-449.
29.		Tiller, F. M. and Shirato, Mompei (1964). "The role of porosity in filtration: VI. New definition of filtration resistance" <i>A.I.Ch.E. Journal</i> 10(1):61-67.
30.		Trivedi, Nikhil C. and Hagemeyer, Robert W. (1994). "Fillers and coatings" in <u>Industrial Minerals and Rocks</u> (Society for Mining, Metallurgy, and Exploration, Inc., Littleton, Colorado) 6th Edition, pp. 483-495.

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(Use several sheets if necessary)		Scott K. PALM et al.	
		Filing Date Concurrently Herewith	Group Art Unit Not Yet Assigned
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31.	Derwent Abstract of SU 929 164 B (January 3, 1983).
32.	Derwent Abstract of EP 0 119 411 A2 (March 5, 1984).

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